

United States District Court

EASTERN DISTRICT OF NORTH CAROLINA

## WESTERN DIVISION

PENNSYLVANIA NATIONAL MUTUAL  
CASUALTY INSURANCE COMPANY,  
Plaintiff,

 $\mathbf{v}_i$ 

JEFFERY LYNN DEAL and WILLIAM  
HARDY SMITH,  
Defendants

$$\begin{array}{c} ) \\ ) \\ ) \\ ) \\ ) \\ ) \\ ) \\ ) \end{array}$$

**JUDGMENT**  
**5:11-CV-159-D**

### Decision by the Court:

**IT IS ORDERED AND ADJUDGED** that the Court **DECLINES** to exercise its discretionary jurisdiction over the Declaratory Judgment action and **DISMISSES** the action without prejudice to any further proceedings in state court or any new action in state court. The Clerk shall close the case.

**THE ABOVE JUDGMENT WAS ENTERED TODAY, SEPTEMBER 13, 2012, WITH  
A COPY TO:**

Andrew James Santaniello (via CM/ECF electronic notification)  
Glenn A. Barfield (via CM/ECF electronic notification)  
Tommy Jarrett (via CM/ECF electronic notification)

September 13, 2012  
Date

JULIE A. RICHARDS, Clerk  
Eastern District of North Carolina

/s/ Debby Sawyer  
(By) Deputy Clerk

Raleigh, North Carolina